IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIRST DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

HON'BLE SRI DEVINDER GUPTA,
CHIEF JUSTICE
and
HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION NO : 16600 of 2004

Between:

T.Sai Babu, S/o T.Bhanumurthy,
Srisailam Dam West, H.No.13-13, Brahmagiri,
Mahabubnagar District

..... PETITIONER

AND

1 Government of Andhra Pradesh, represented by its Secretary (Energy), Secretariat, Hyderabad
2 J.Pardhasaradhi, Ex-Chairman & Managing Director, A.P.GENCO, Khairatabad, Hyderabad
3 Mediboina Subba Reddy, S/o Ramaswamy, Srisailam Left Bank, Hydro Electrical Scheme, Srisailam Dam West, Mahaboobnagar District
4 Patel Engineering Company, Akasa Ganga Complex, 4th Floor, Khairatabad, represented by its Managing Director, Khairatabad, Hyderabad

.....RESPONDENTS

Petition under Article 226 of the Constitution of India

praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue any appropriate order or direction more particularly a Writ in the nature of Mandamus, directing the respondents 1 to 3 herein not to pay any amount to the 4th respondent in pursuance of the Contract executed by the 4th respondent pertaining to Srisailam Left Bank Hydro Electric Scheme (Power Station) and if final bill amount is already paid, to take appropriate steps to recover excess amount of Rs.88,64,49,300/- from the 4th respondent by declaring the irregularities committed by the Respondents 1 to 3 by enhancing the contract rates without following the price index and conditions of contract in collusion by respondents 2 and 3 with 4th respondent as illegal, void and without jurisdiction and to pass such other order or orders as the Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner : MR.G.DHARMA RAO.

Counsel for the respondent No.1: G.P. for Energy.

Counsel for the Respondent No.2: SMT.K.SESHARAJYAM (SC FOR AP GENCO) (Not Present).

Counsel for the respondent No.3: None appeared.

Counsel for the respondent No.4: None appeared.

The Court made the following :

ORAL ORDER:

(Per Hon'ble The Chief Justice)

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1. Heard. The petitioner has not even bothered to approach the respondents and not even apprised the concerned authorities of the alleged irregularities alleged to have been committed, on the basis of which petitioner is alleging that excess payment has been made to 4th respondent. We do not see any public interest involved in this petition. Petitioner has tried to give some details and on that basis, according to his version, there is possibility of loss being caused. Before such petition is entertained, it is utmost important that person like petitioner must be relegated to at least bring to the notice of the concerned authorities of the alleged irregularities.

2. With leave and liberty granted to the petitioner, writ petition stands dismissed. No costs.

DEVINDER GUPTA. C.J.,

C.V. RAMULU. J.,

Dated: 21.09.2004.

VRK.

To

1 The Secretary (Energy), Government of A.P.,
Secretariat,Hyderabad
2 J.Pardhasaradhi, Ex-Chairman & Managing Director,
A.P.GENCO, Khairatabad, Hyderabad
3 Mediboina Subba Reddy, S/o Ramaswamy,
Srisailam Left Bank, Hydro Electrical Scheme,
Srisailam Dam West, Mahaboobnagar District
4. The Officer concerned, Public Interest Litigation Cell,
High Court Buildings, Hyderabad.
5. The Secretary, A.P. State Legal Aid & Advisory Board,
High Court Buildings, Hyderabad.
6. The Secretary to Government of A.P., Home Department,
Secretariat, Hyderabad.
7. Two CCs to G.P. for Energy, High Court Buildings,
Hyderabad (OUT).
8. Two CD copies.

HON'BLE SRI DEVINDER GUPTA,
CHIEF JUSTICE
AND
HON'BLE SRI JUSTICE C.V. RAMULU.

W.P.NO. 16600 OF 2004.

(Order of the Bench delivered by
Hon'ble The Chief Justice)

Dt: 21.09.2004.

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